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SENATE BILL 2349 By  
Fowler

HOUSE BILL 2614  
By West

AN ACT to amend Tennessee Code Annotated, Title 4, Chapter 27, Part 1, relative to employee suggestion award program.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 4-27-102, is amended by deleting the language "the commissioner of general services," and by substituting instead the language "the comptroller,".

SECTION 2. Tennessee Code Annotated, Section 4-27-103, is amended by deleting item (4) in its entirety.

SECTION 3. Tennessee Code Annotated, Section 4-27-103, is further amended by adding at the end of item (5) between the word "chapter" and the semicolon the language "including the means and methods by which it is determined that an employee suggestion has been made and implemented and the timing of payments".

SECTION 4. Tennessee Code Annotated, Section 4-27-104, is amended by deleting from the first sentence the language up to and including the colon and by substituting instead the following language:

In making awards, the following levels of management shall not be eligible to receive cash awards under the program:

SECTION 5. Tennessee Code Annotated, Section 4-27-105, is amended by deleting the section in its entirety and by substituting instead the following language:

4-27-105. (a) If an employee suggestion is implemented within two (2) years of its submission, and if it results in a cash savings to the state, then a cash award shall be made to the employee as follows:

(1) If the cost savings are one-time in nature, the cash award shall be five percent (5%) of the savings; and

(2) If the cost savings result in reductions in continuation spending, the cash award shall be five percent (5%) of the savings for each of the next three

(3) years or ten percent (10%) of the savings for the first year, at the option of the employee whose suggestion is implemented.

(b) If an employee suggestion is implemented within two (2) years of its submission, and if it results in an improvement in state government but no cash savings, a cash award may be made to the employee upon approval of the board. The amount of the award shall be determined by the board, but in no event shall be less than one hundred dollars (\$100). In determining whether an award should be made pursuant to this provision, the board shall consider:

(1) The severity of the problem addressed by the employee suggestion;

(2) The effectiveness of the suggestion offered;

(3) The degree of improvement made in state operations; and

(4) The ingenuity of the suggestion.

(c) The cost savings upon which the award is to be based and whether it is one-time or continuing shall be determined by agreement of the commissioner of finance and administration and the comptroller.

(d) The award shall be made regardless of whether the employee is in the employ of the state at the time the award is to be paid and shall be made to the estate of a deceased employee if the estate remains open at the time the award is to be paid.

(e) Nothing herein shall give rise to a cause of action by an employee against the state.

(f) Any cash awards approved by the board shall be charged against the appropriation item or items to which estimated savings apply.

SECTION 6. This act shall take effect July 1, 2002, the public welfare requiring it.